



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
TAMPA REGULATORY OFFICE
PO BOX 19247
TAMPA, FLORIDA 33686-9247

Regulatory Division
South Permits Branch
West Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2004-7132-JPF OCT 21 2004

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below.

APPLICANT: Country Creek, LLC - Brett Alexander
1181 Valencia Avenue
Winter Park, FL 32789

WATERWAY & LOCATION: The proposed project is located southeast of the intersection of U.S. 17/92 and S.R. 54 in Section 24, Township 26 South, Range 27 East, Polk County, Florida. The project site discharges to the east into Reedy Creek from the on-site wetland slough through a man-altered stream.

DIRECTIONS TO SITE: The 294.23-acre project site is located on the east side of U.S. 17/92, north of Doe Drive and east of Buck Trail.

LATITUDE & LONGITUDE: Latitude 28°12'48.16" North
Longitude 81°33'43.14" West

PROJECT PURPOSE:

Basic: The applicant proposes to construct a permanent residence and short-term rental residential community and associated infrastructure and amenities.

Overall: The applicant proposes to construct a permanent residence and short-term rental residential community, with individual homes on separate lots, and associated infrastructure and amenities to fill a demand for this service in northern Polk County as it is located in close

proximity to the commercial and tourist areas of southern Osceola County and southern Orange County.

PROPOSED WORK: The applicant proposes to impact 0.83 acre of waters of the United States (wetlands and surface waters) for the construction of single-family residential development with associated infrastructure and water management systems. The 0.45 acre of surface waters to be impacted are open water systems void of vegetation except grasses along the banks. The 0.38 acre of wetlands to be impacted contain both forested and herbaceous systems. The applicant also proposes 2.31 acres of impacts to isolated wetlands. The applicant states that no other tracts of land were available for purchase within the vicinity for use as an alternate site. The applicant also states that impacts to waters of the U.S. have been minimized by limiting impacts to unavoidable road crossings, locating the crossings at locations with existing field roads, and providing culverts under the road crossings to maintain hydrology and allow for wildlife movement. The applicant states that Polk County specified that the proposed development should have its own entrance, and that residents of the adjacent development raised concerns about increased traffic on their existing roads, so access to the property from the adjacent area is not a practicable option for minimization. The applicant has offered the following compensatory mitigation for consideration if it is determined that issuance of a permit is appropriate. Mitigation for the loss of wetland function will be provided by through on-site enhancement and preservation of 58.82 acres of herbaceous and forested wetlands and 13.05 acres of uplands. The wetlands will be managed to allow no greater than 10% coverage by exotic and nuisance species, and preserved with a conservation easement to be granted to the Southwest Florida Water Management District.

EXISTING CONDITIONS: The majority of the wetlands on-site are herbaceous freshwater marshes, including wetlands B and most of J, both of which are Corps-jurisdictional. Wetland J-F (a subsection of the overall wetland J) is a bay swamp, dominated by swamp bay, and wetland J-A is a cypress swamp. Surface water/wetland A is an open water area, with some slash pines and herbaceous vegetation around the perimeter. The uplands on-site are a combination of xeric oak scrub and pine flatwoods. There is an existing asphalt road in the northwest end of the property, as well as numerous sand roads throughout the property.

ENDANGERED SPECIES: The applicant provided results from wildlife surveys, and information concerning their separate discussions of the project with the U.S. Fish and Wildlife Service. The U.S. Army Corps of Engineers (Corps) has determined the proposed project may affect, but is not likely to adversely affect the sand skink, blue-tailed mole skink, indigo snake or the wood stork or their designated critical habitat, and has requested consultation as defined under Section 7 of the Endangered Species Act from the U.S. Fish and Wildlife Service in a separate letter.

HISTORICAL RESOURCES: The applicant submitted a February 27, 2004, letter from the SHPO (DHR Project File No. 2004-1411), recommending that the property should be subjected to a systematic, professional archaeological and historical survey. The applicant provided a survey dated April 2004, stating that four archaeological occurrences and one previously recorded site were found.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified. Corps personnel have verified the jurisdiction line as shown on the attached drawings.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the State Department of Environmental Protection and/or one of the state Water Management Districts. The Southwest Florida Water Management District is reviewing Environmental Resource Permit application number 43000662.003.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice.

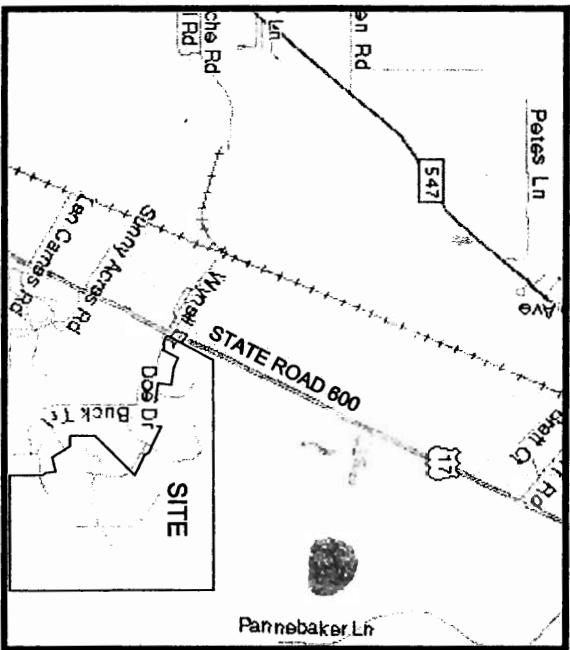
If you have any questions concerning this application, you may contact John Fellows at the letterhead address, by electronic mail at john.p.fellows@saj02.usace.army.mil, by fax at (813)840-2123, or by telephone at (813)840-2908, ex. 230.

COUNTRY CREEK SUBDIVISION

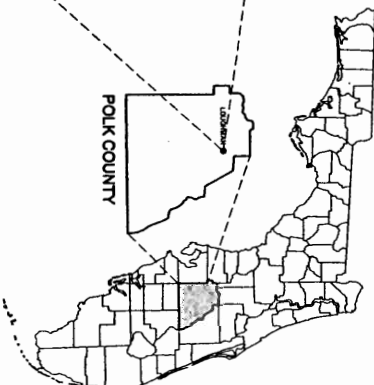
PLANS OF PROPOSED WETLAND IMPACT CROSS SECTIONS

STATE ROAD NO. 600
POLK COUNTY

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Country Creek, LLC
Sheet 1 of 18



VICINITY MAP
SECTION 24
TOWNSHIP 28 SOUTH
RANGE 27 EAST



WETLAND IMPACT SECTIONS
ENGINEER OF RECORD

ROBERT E. LAZENBY, IV P.E. NO. 52006
4506 SOUTH FLORIDA AVENUE
LAKELAND, FLORIDA 33813

PLANS PREPARED BY:

Alpha
8-10-04

ALPHA ENGINEERING & SURVEYING, INC.
4506 SOUTH FLORIDA AVENUE
LAKELAND, FLORIDA 33813

DESIGN ENGINEER: ROBERT E. LAZENBY, IV P.E. NO. 52006

INDEX OF WETLAND IMPACT EXHIBITS

EXHIBIT NO.	EXHIBIT DESCRIPTION
A	Cover Sheet
B	Map Key Plan
C1 thru C10	Exhibits from Exhibit C Plan View
D1 thru D4	Exhibits from Exhibit D Plan View
E1 thru E5	Exhibits from Exhibit E Plan View

EXHIBIT B KEY MAP

PLAN VIEW EXHIBIT C

SURFACE WATER "A"
IMPACT "A"
7624 SQFT

WETLAND "B"
IMPACT "B"
7893 SQFT
TEMPORARY IMPACT "B"
4381 SQFT

WETLAND "B2"
IMPACT "B2"
4295 SQFT

PLAN VIEW EXHIBIT D

WETLAND "JA"
IMPACT "JA"
1033 SQFT
TEMPORARY IMPACT "JA"
683 SQFT

WETLAND "J G"
IMPACT "J G"
4613 SQFT

WETLAND "J F"
IMPACT "J F"
1861 SQFT
TEMPORARY IMPACT "J F"
961 SQFT

IMPACT AREAS



TEMPORARY IMPACT AREAS

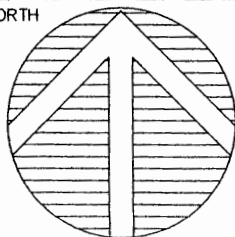


PLAN VIEW EXHIBIT E

Signature
9-7-04

Public Notice
SAJ-2004-7132-JPF
Country Creek, LLC
Sheet 2 of 18

NORTH



SCALE
1" = 800

DWG
KEY MAP

DRAWN BY
DAVE

DATE:
05/26/04

TITLE

IMPACT EXHIBIT

JOB NAME

COUNTRY CREEK

EXHIBIT

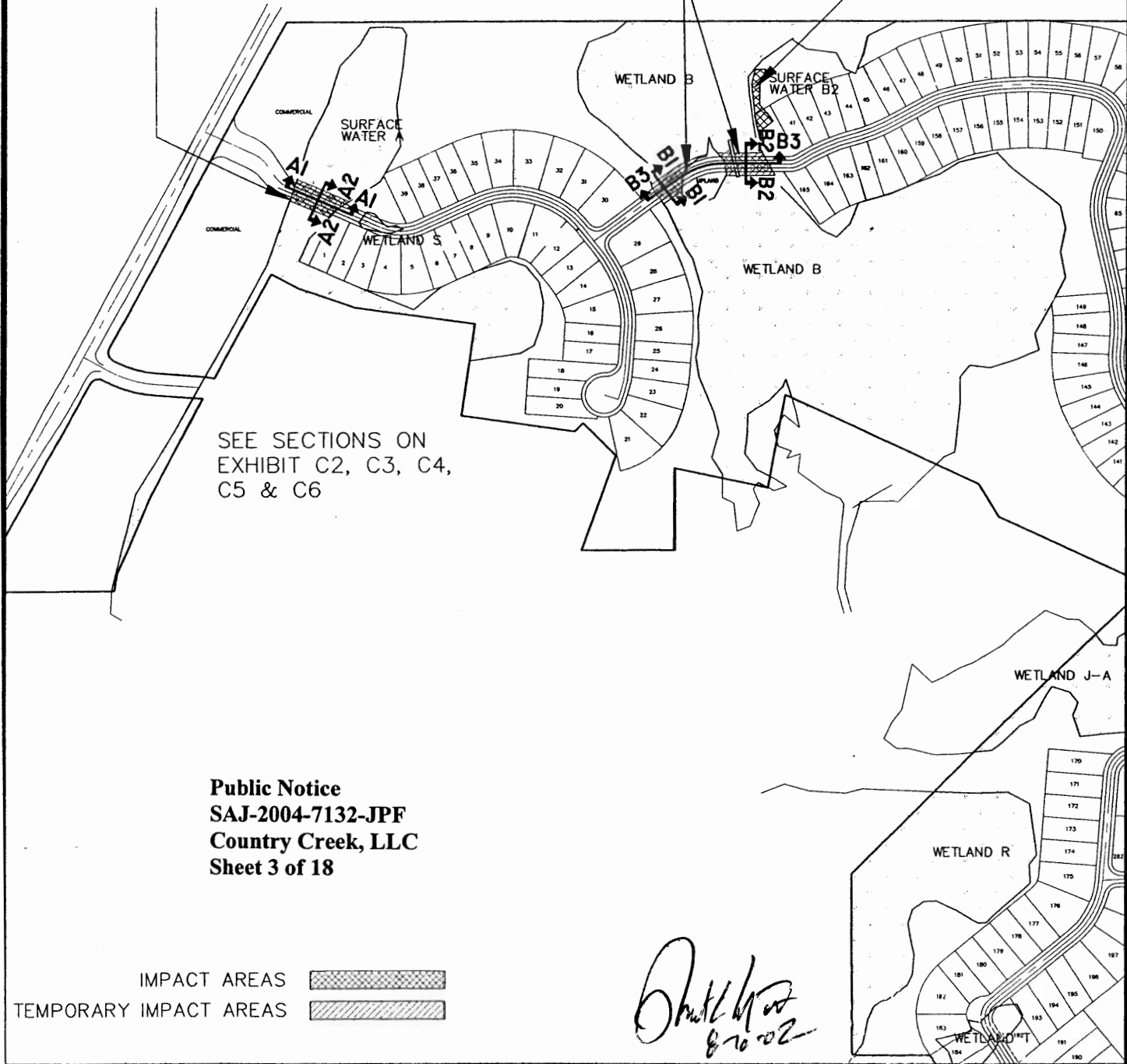
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EXHIBIT C1

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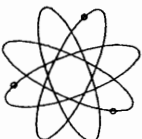
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IMPACT "B"
7893 SQFT
TEMPORARY IMPACT "B"
4381 SQFT

WETLAND "B2"
IMPACT "B2"
4295 SQFT



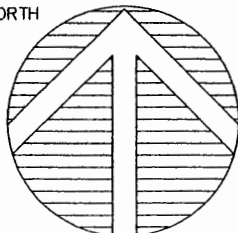
ALPHA

ENGINEERING &
SURVEYING, INC.



4506 SOUTH FLORIDA AVE.
LAKELAND, FLORIDA 33813
(863) 646-8571 FAX 646-4977

NORTH



SCALE
1" = 400
DWG
EXHIBITS

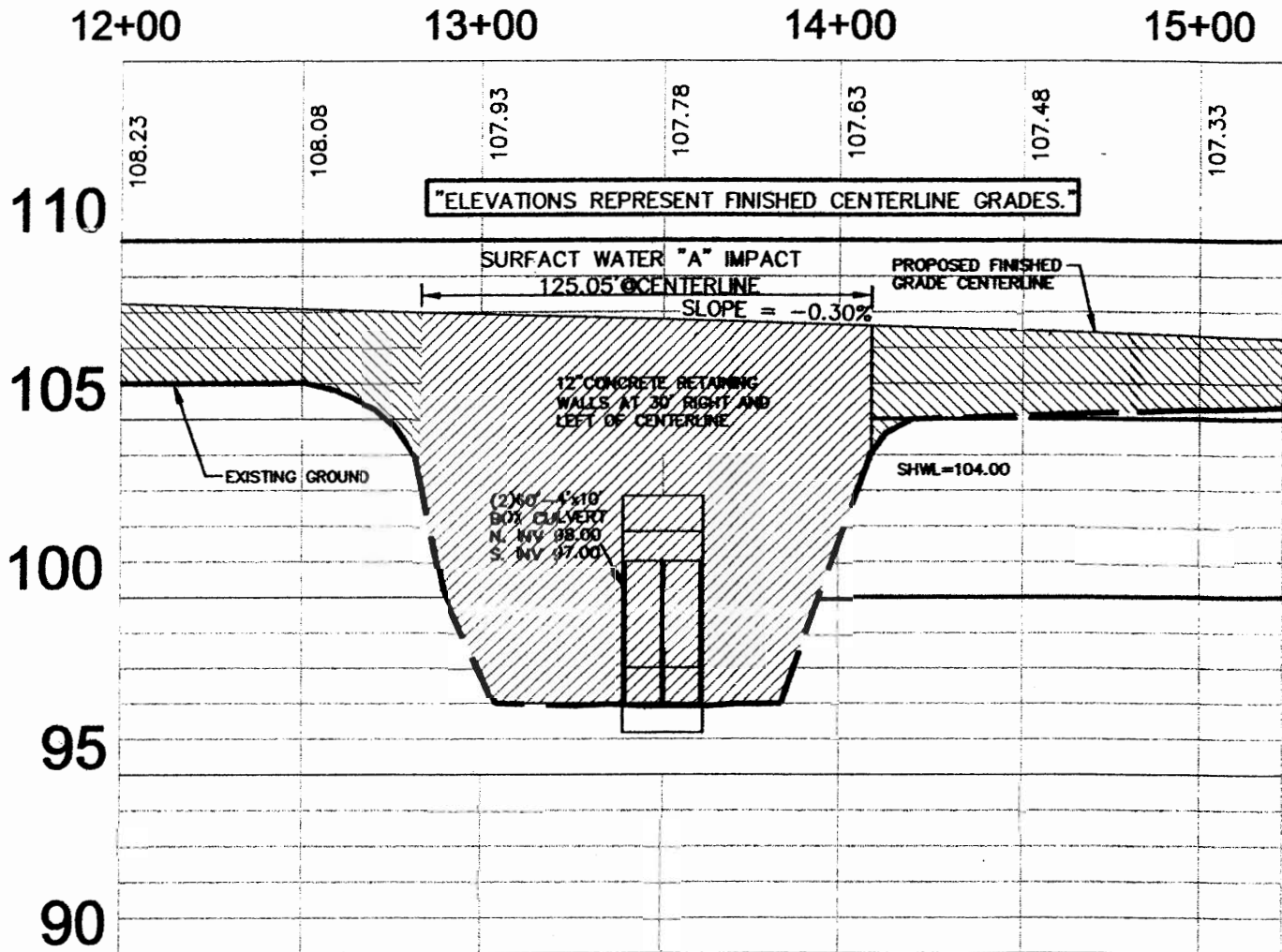
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DAVE
DATE:
05/26/04

TITLE
IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
C1

IMPACT "A"
7624 SQFT



LEGEND
FILL
FILL OUTSIDE WETLAND
DREDGE

SEE PLAN VIEW ON EXHIBIT "C1"

SCALE
HORIZONTAL 1" = 50 ft
VERTICAL 1" = 5 ft

Signature
6-10-04

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Country Creek, LLC
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SECTION A1
WETLAND "A"
IMPACT

SCALE
1" = 50
DWG
EXHIBITS

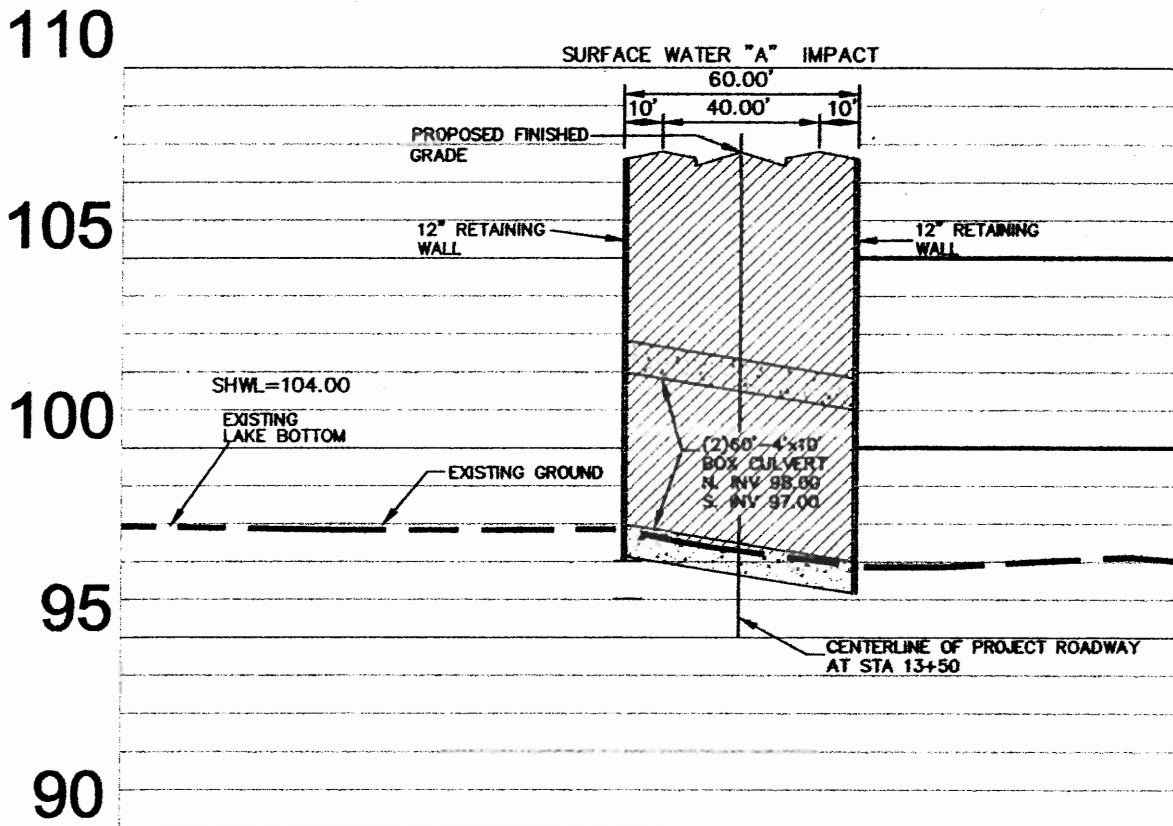
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05/26/04

TITLE
IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
C2

IMPACT "A"
7624 SQFT



SEE PLAN VIEW ON EXHIBIT "C1"

LEGEND

FILL



DREDGE



SCALE
HORIZONTAL 1" = 50 ft
VERTICAL 1" = 5 ft

Outlet 13-10-04

Public Notice
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Country Creek, LLC
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SECTION A2
WETLAND "A"
IMPACT

SCALE
1" = 50
DWG
EXHIBITS

DRAWN BY
DAVE
DATE:
05/26/04

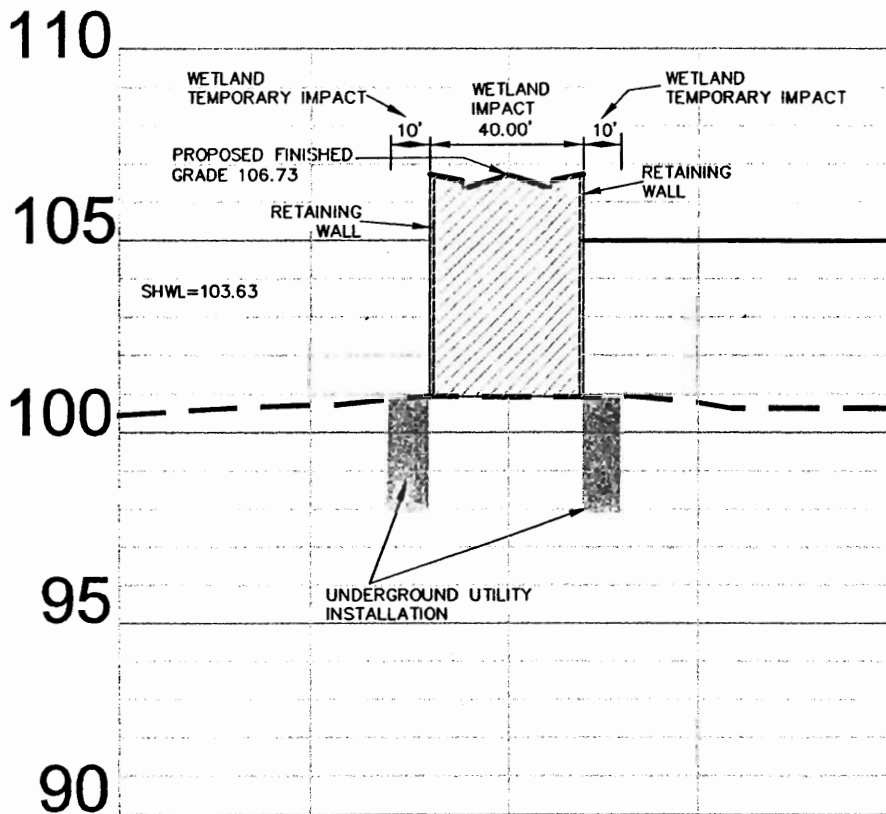
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IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
C3

IMPACT "B"
7893 SQFT

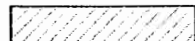
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4381 SQFT



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Country Creek, LLC
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LEGEND

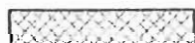
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TEMPORARY TRENCHING



DREDGE

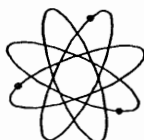


SEE PLAN VIEW ON EXHIBIT "C1"

SCALE
HORIZONTAL 1" = 50 ft
VERTICAL 1" = 5 ft

Signature 5-10-04

ALPHA
ENGINEERING &
SURVEYING, INC.



4506 SOUTH FLORIDA AVE.
LAKELAND, FLORIDA 33813
(863) 646-8571 FAX 646-4977

SECTION B1
WETLAND "B"
IMPACT

SCALE
1" = 50
DWG
EXHIBITS

DRAWN BY
DAVE
DATE:
05/26/04

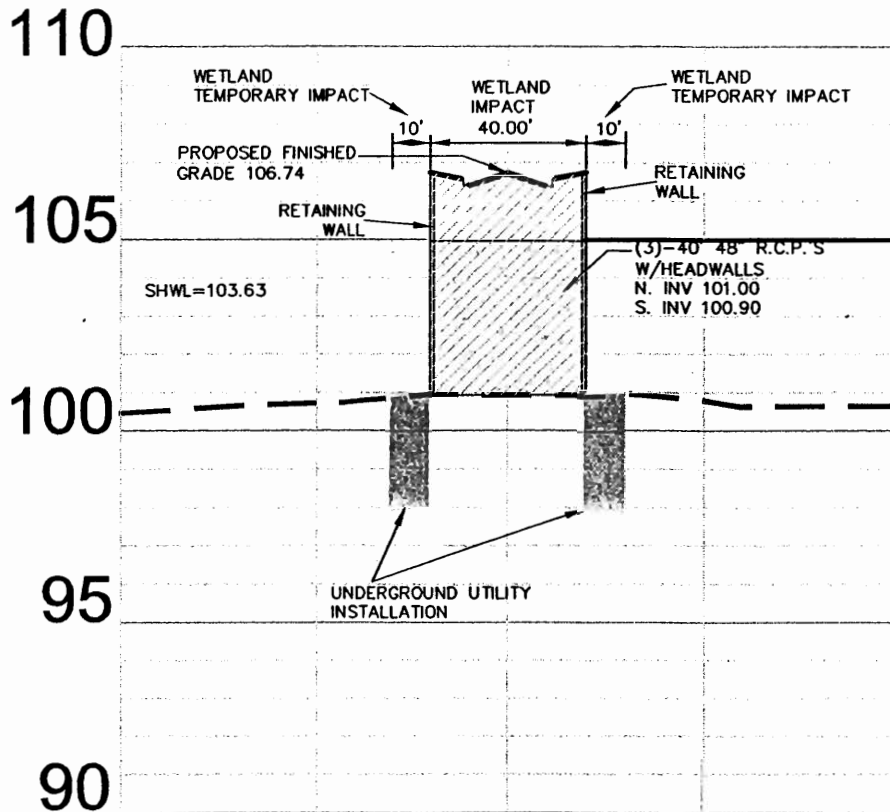
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JOB NAME
COUNTRY CREEK

EXHIBIT
C4

IMPACT "B"
7893 SQFT

TEMPORARY IMPACT "B"
4381 SQFT



LEGEND

FILL



TEMPORARY TRENCHING



DREDGE



SEE PLAN VIEW ON EXHIBIT "C1"

SCALE
HORIZONTAL 1" = 50 ft
VERTICAL 1" = 5 ft

Signature

Public Notice
SAJ-2004-7132-JPF
Country Creek, LLC
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LAKELAND, FLORIDA
(863) 646-8571 FAX 646-4977

SECTION B2
WETLAND "B"
IMPACT

SCALE
1" = 50

DWG
EXHIBITS

DRAWN BY
DAVE

DATE:
05/26/04

TITLE

IMPACT EXHIBIT

JOB NAME

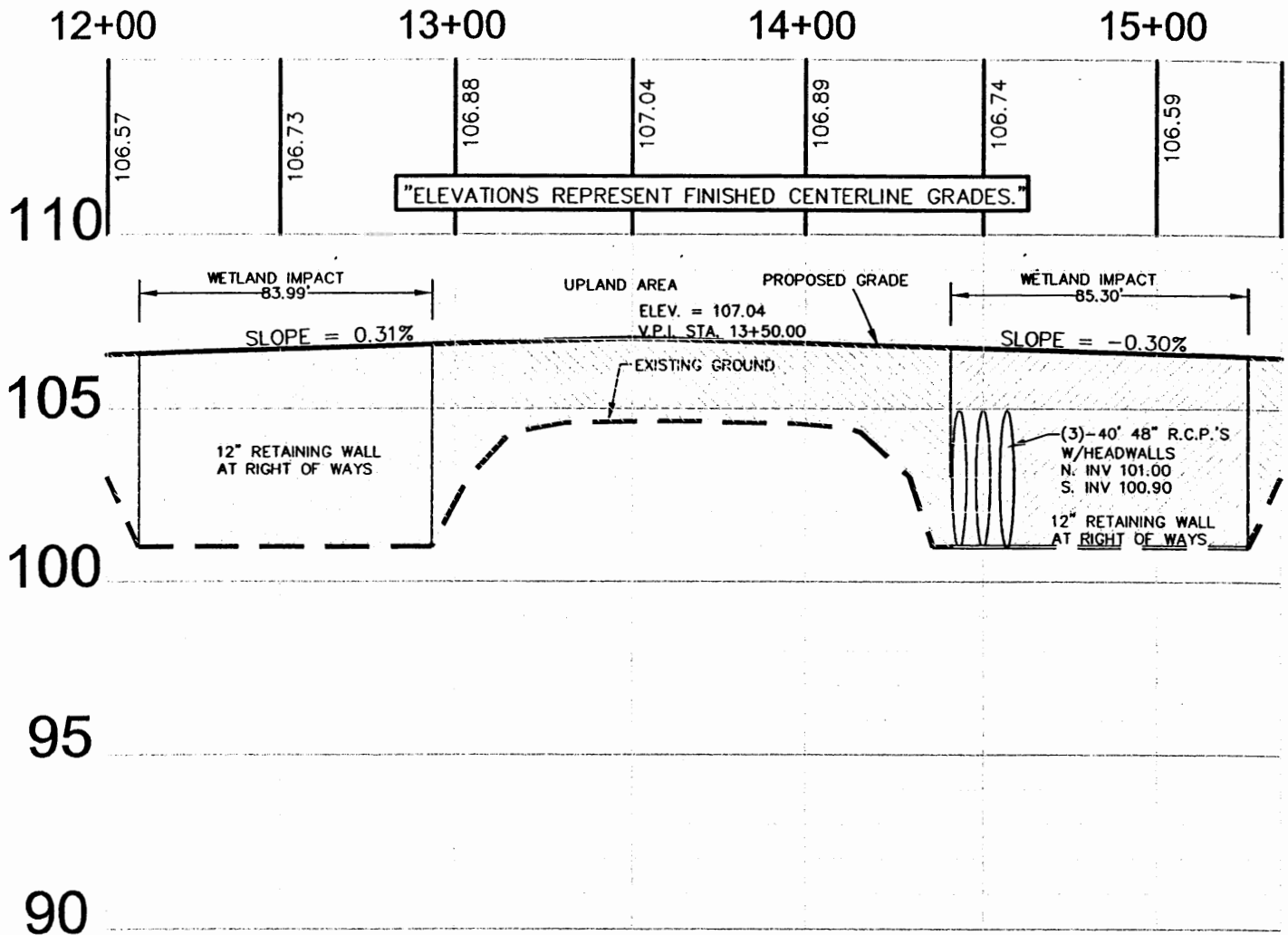
COUNTRY CREEK

EXHIBIT

C5

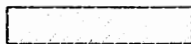
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TEMPORARY IMPACT "B"
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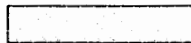


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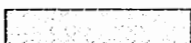
FILL



FILL OUTSIDE WETLAND



DREDGE



SEE PLAN VIEW ON EXHIBIT "C1"

SCALE
HORIZONTAL 1" = 50 ft
VERTICAL 1" = 5 ft

Shuttle 5-10-04

Public Notice
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SECTION B3
WETLAND "B"
IMPACT

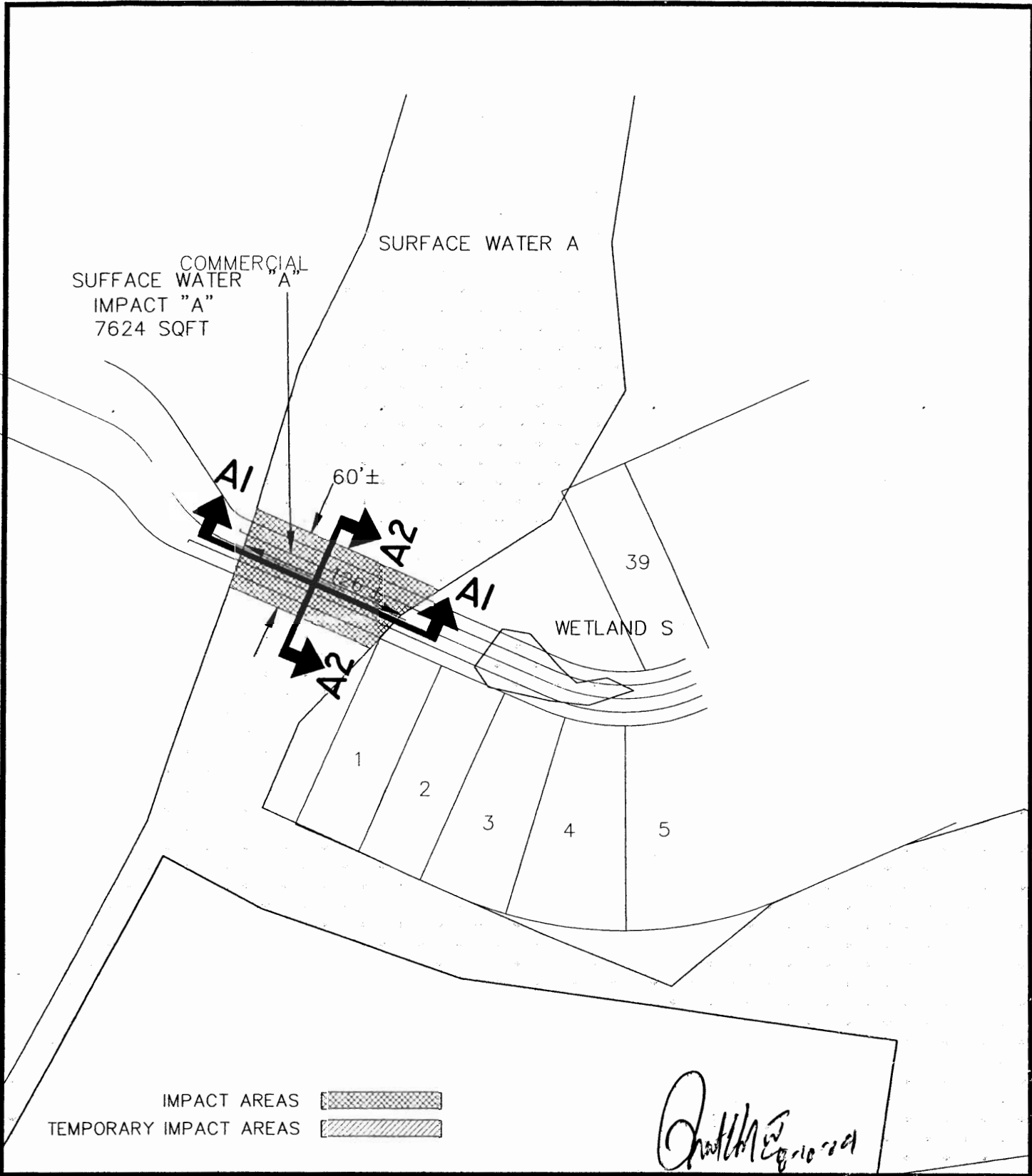
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EXHIBITS

DRAWN BY
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DATE:
05/26/04

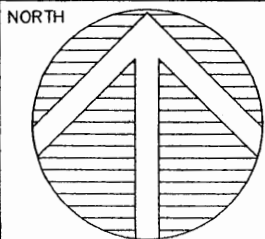
TITLE
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JOB NAME
COUNTRY CREEK

EXHIBIT
C6



Public Notice
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Country Creek, LLC
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SCALE
1" = 100
DWG
EXHIBITS

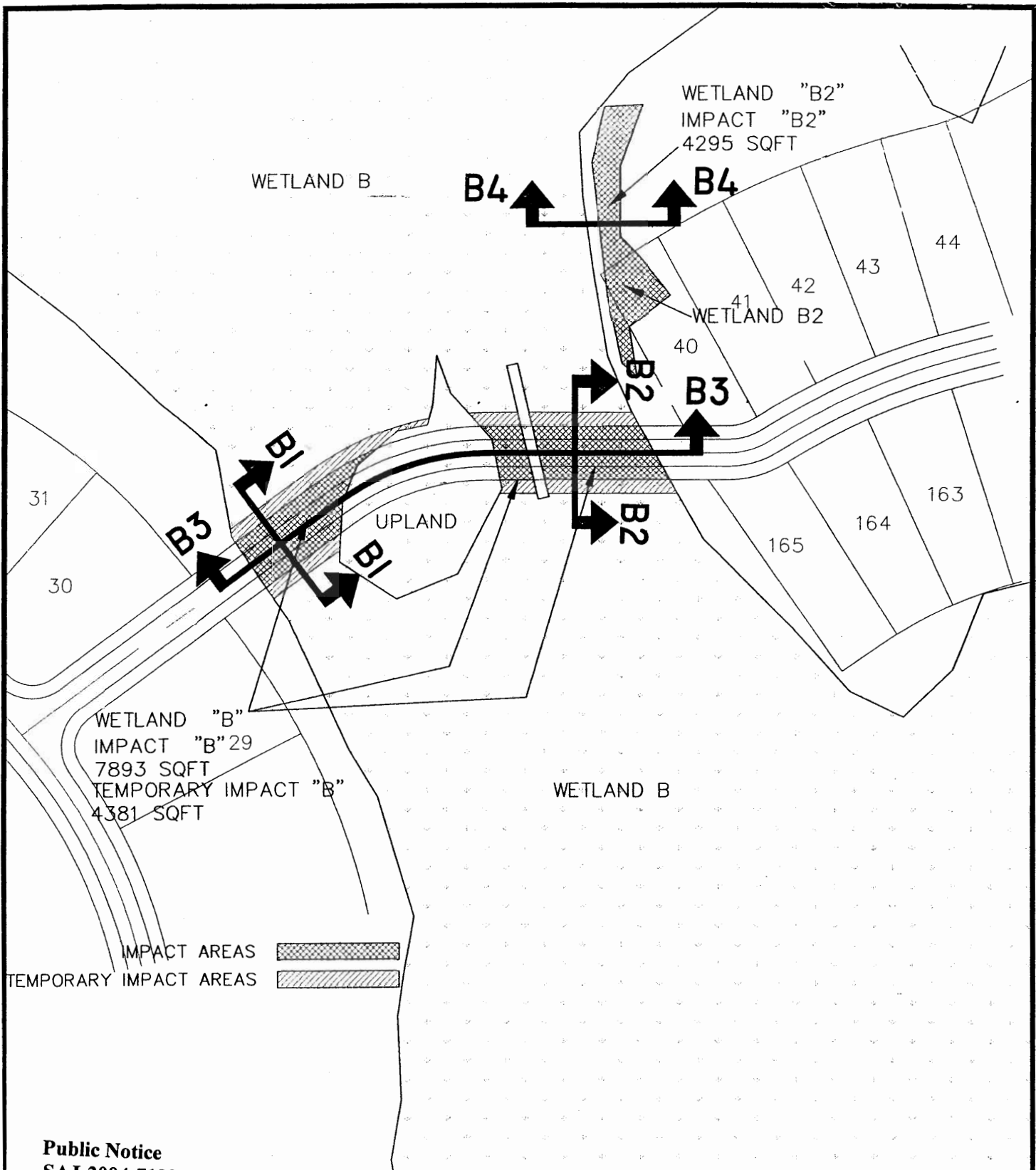
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05/26/04

TITLE
IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
C7

Shirley 9-15-04





Public Notice
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Country Creek, LLC
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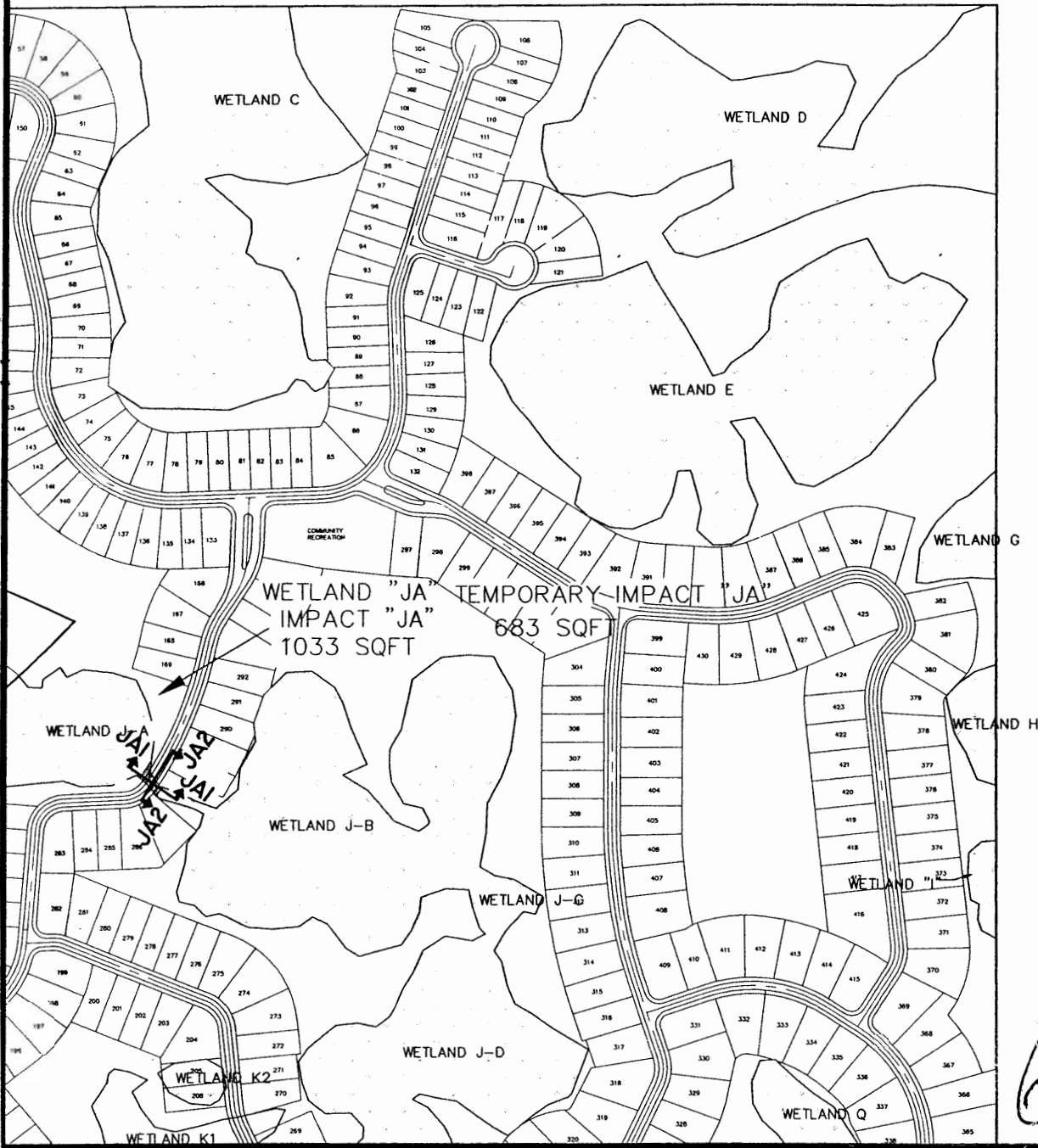
SURVEYING, INC.
 4506 SOUTH FLORIDA AVE.
 LAKELAND, FLORIDA 33813
 (863) 646-8571 FAX 646-4977

NORTH 	SCALE 1" = 100'	DRAWN BY DAVE	TITLE IMPACT EXHIBIT
	DWG EXHIBITS	DATE: 05/26/04	
JOB NAME COUNTRY CREEK			EXHIBIT C8

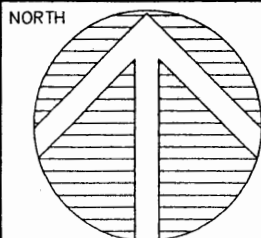
EXHIBIT D1

IMPACT AREAS 
TEMPORARY IMPACT AREAS 

SEE SECTIONS ON
EXHIBIT D2 & D3



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Country Creek, LLC
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SCALE
1" = 400
DWG
EXHIBITS

DRAWN BY
DAVE
DATE:
05/26/04

TITLE
IMPACT EXHIBIT

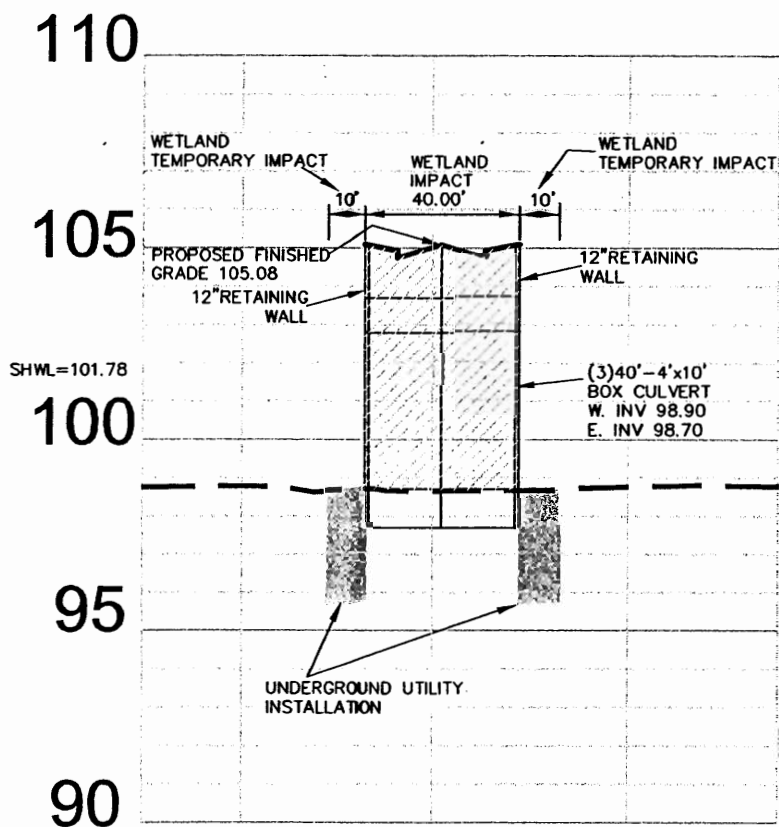
JOB NAME
COUNTRY CREEK

EXHIBIT
D1

WETLAND "JA"

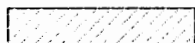
IMPACT "JA"
1033 SQFT

TEMPORARY IMPACT "JA"
683 SQFT



LEGEND

FILL



TEMPORARY TRENCHING



DREDGE



SEE PLAN VIEW ON EXHIBIT "D1"

SCALE
HORIZONTAL 1" = 50 ft
VERTICAL 1" = 5 ft

Signature
9-10-04

Public Notice
SAJ-2004-7132-JPF
Country Creek, LLC
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SECTION JA1
WETLAND "JA"
IMPACT

SCALE
1" = 50
DWG
EXHIBITS

DRAWN BY
DAVE
DATE:
05/26/04

TITLE
IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
D2

WETLAND "JA"

IMPACT "JA"

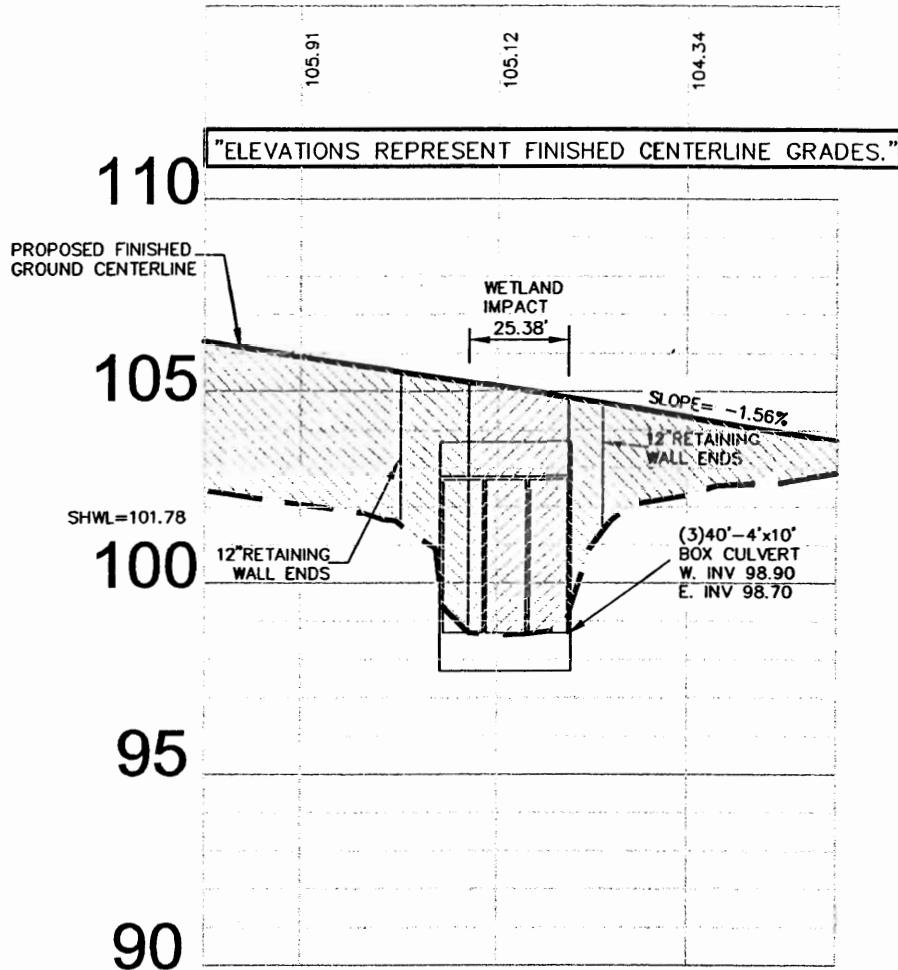
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TEMPORARY IMPACT "JA"

683 SQFT

17+00

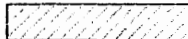
18+00



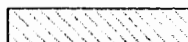
SEE PLAN VIEW ON EXHIBIT "D1"

LEGEND

FILL



FILL OUTSIDE WETLAND



DREDGE



SCALE
HORIZONTAL 1" = 50 ft
VERTICAL 1" = 5 ft

Signature
8-10-04

Public Notice
SAJ-2004-7132-JPF
Country Creek, LLC
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SECTION JA2
WETLAND "JA"
IMPACT

SCALE
1" = 50
DWG
EXHIBITS

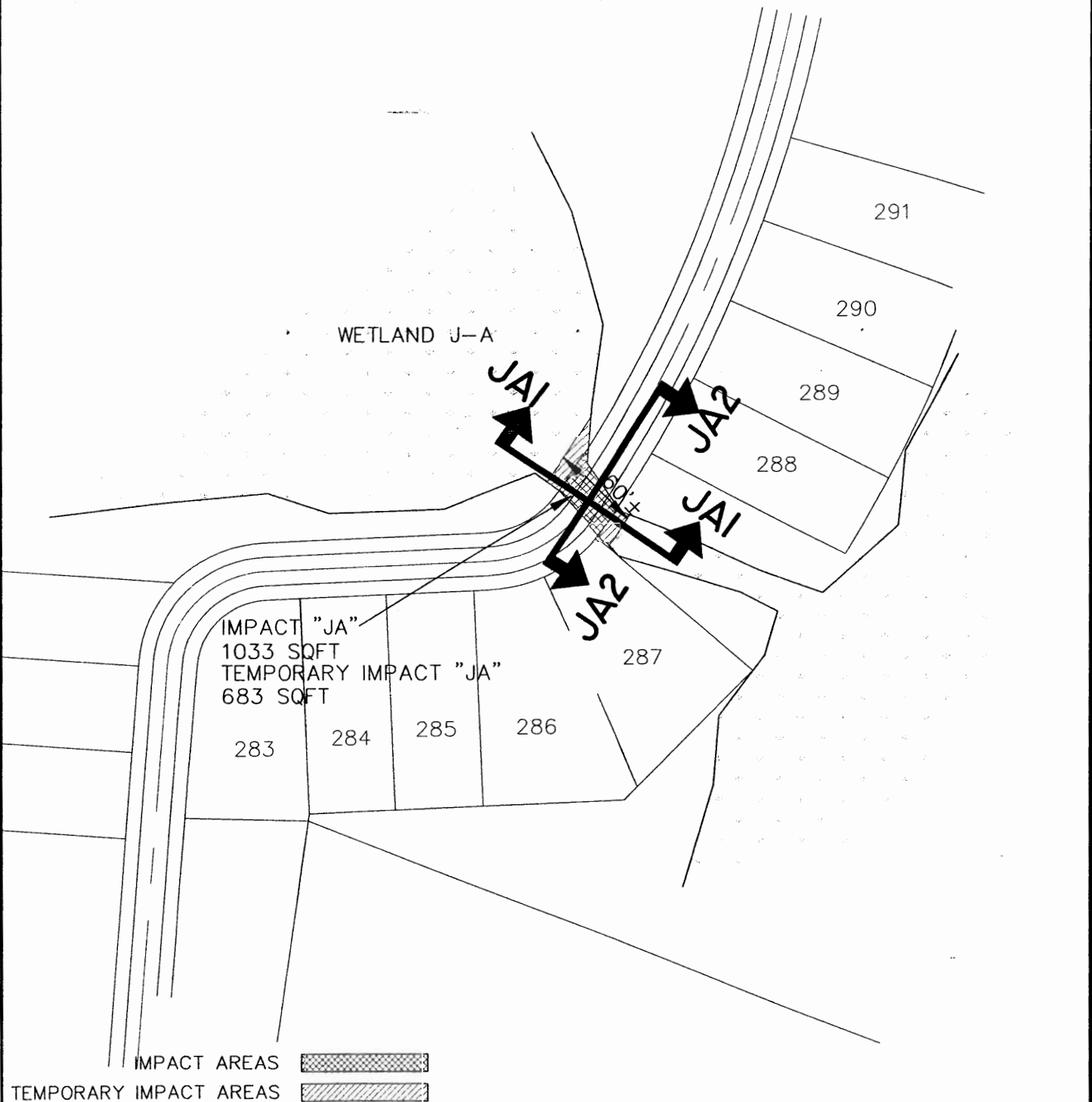
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DATE:
05/26/04

TITLE
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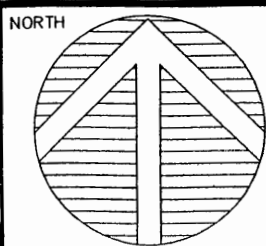
JOB NAME
COUNTRY CREEK

EXHIBIT
D3

Shuteh W 9-15-04



Public Notice
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Country Creek, LLC
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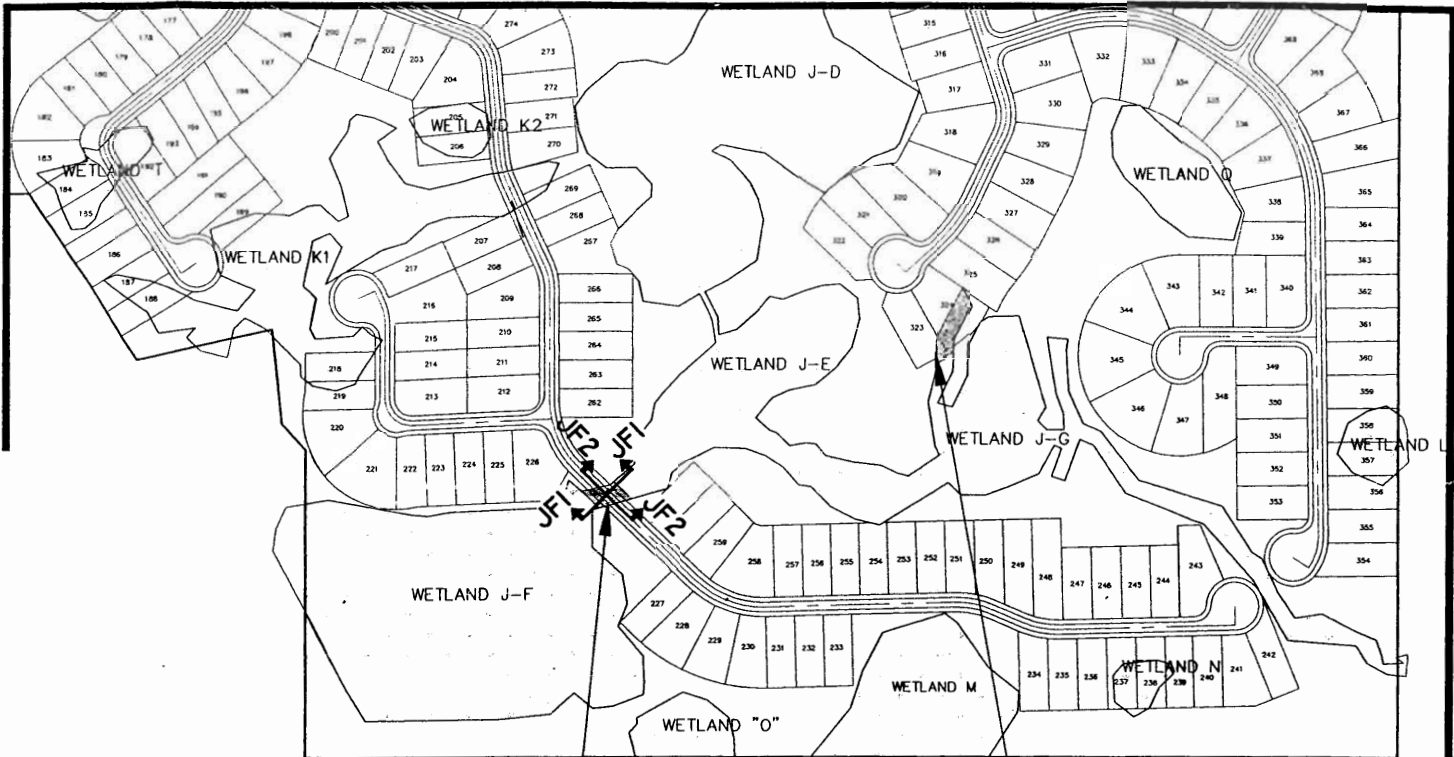
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DWG
EXHIBITS

DRAWN BY
DAVE
DATE:
05/26/04

TITLE
IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
D4



WETLAND "J G"
IMPACT "J G"
4613 SQFT

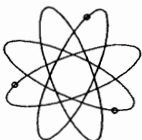
WETLAND "JF"
IMPACT "JF"
1861 SQFT
TEMPORARY IMPACT "JF"
961 SQFT

EXHIBIT E1

Public Notice
SAJ-2004-7132-JPF
Country Creek, LLC
Sheet 15 of 18

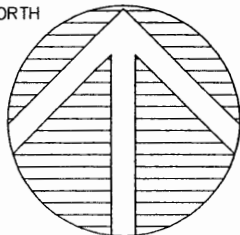
Signature
8-10-04

ALPHA
ENGINEERING &
SURVEYING, INC.



4506 SOUTH FLORIDA AVE.
LAKELAND, FLORIDA 33813
(863) 646-8571 FAX 646-4977

NORTH



SCALE
1" = 400
DWG
EXHIBITS

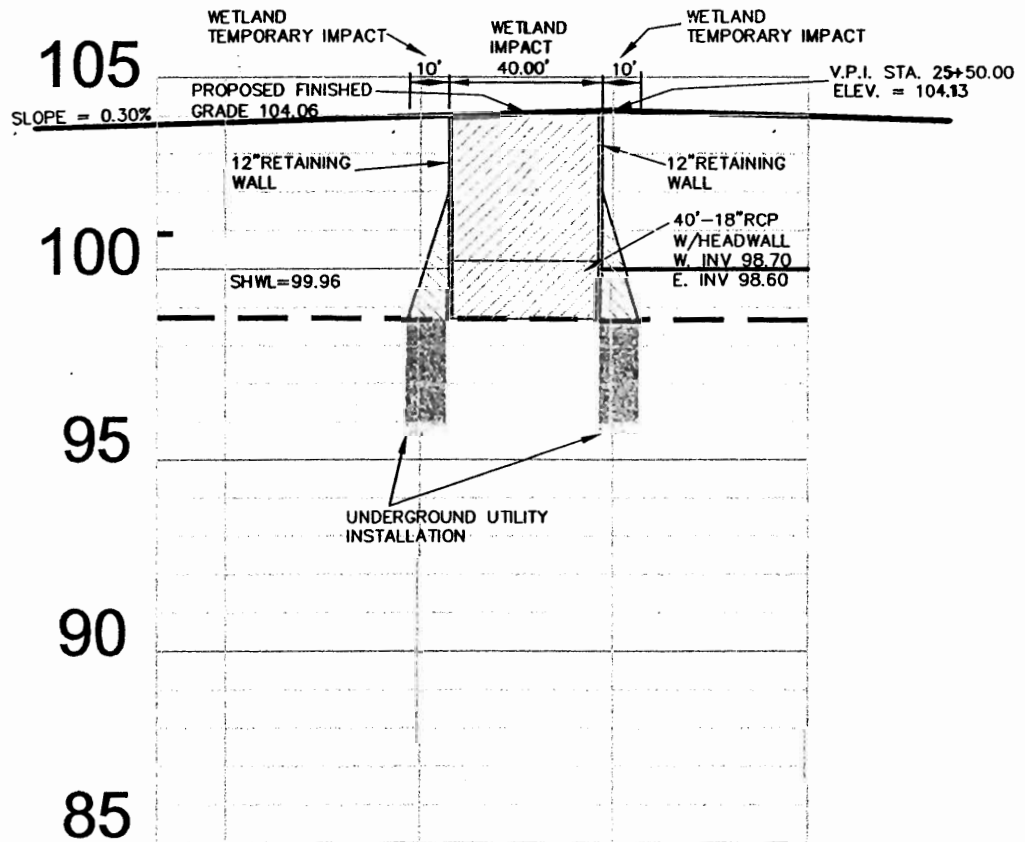
DRAWN BY
DAVE
DATE:
05/26/04

TITLE
IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
E1

WETLAND "JF"
 IMPACT "JF"
 1861 SQFT
 TEMPORARY IMPACT "JF"
 961 SQFT



LEGEND	
FILL	
TEMPORARY TRENCHING	
DREDGE	

SCALE
 HORIZONTAL 1" = 50 ft
 VERTICAL 1" = 5 ft

Signature
 8-10-04

Public Notice
 SAJ-2004-7132-JPF
 Country Creek, LLC
 Sheet 16 of 18

SECTION JF1
 WETLAND "JF"
 IMPACT

SCALE
 1" = 50
 DWG
 EXHIBITS

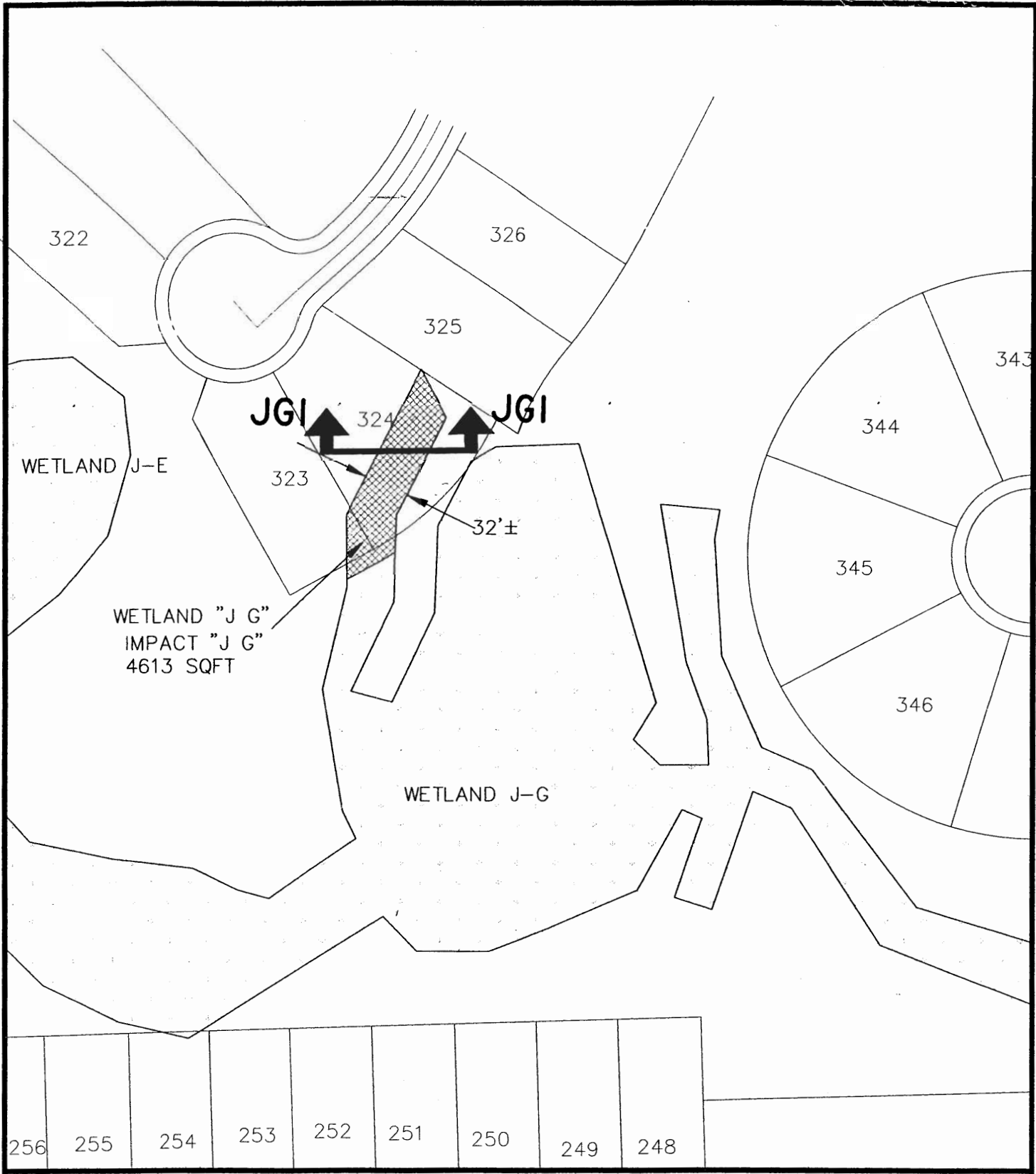
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 DATE:
 05/26/04

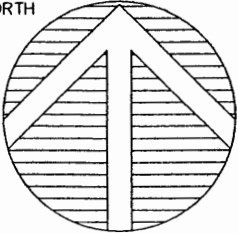
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JOB NAME
 COUNTRY CREEK

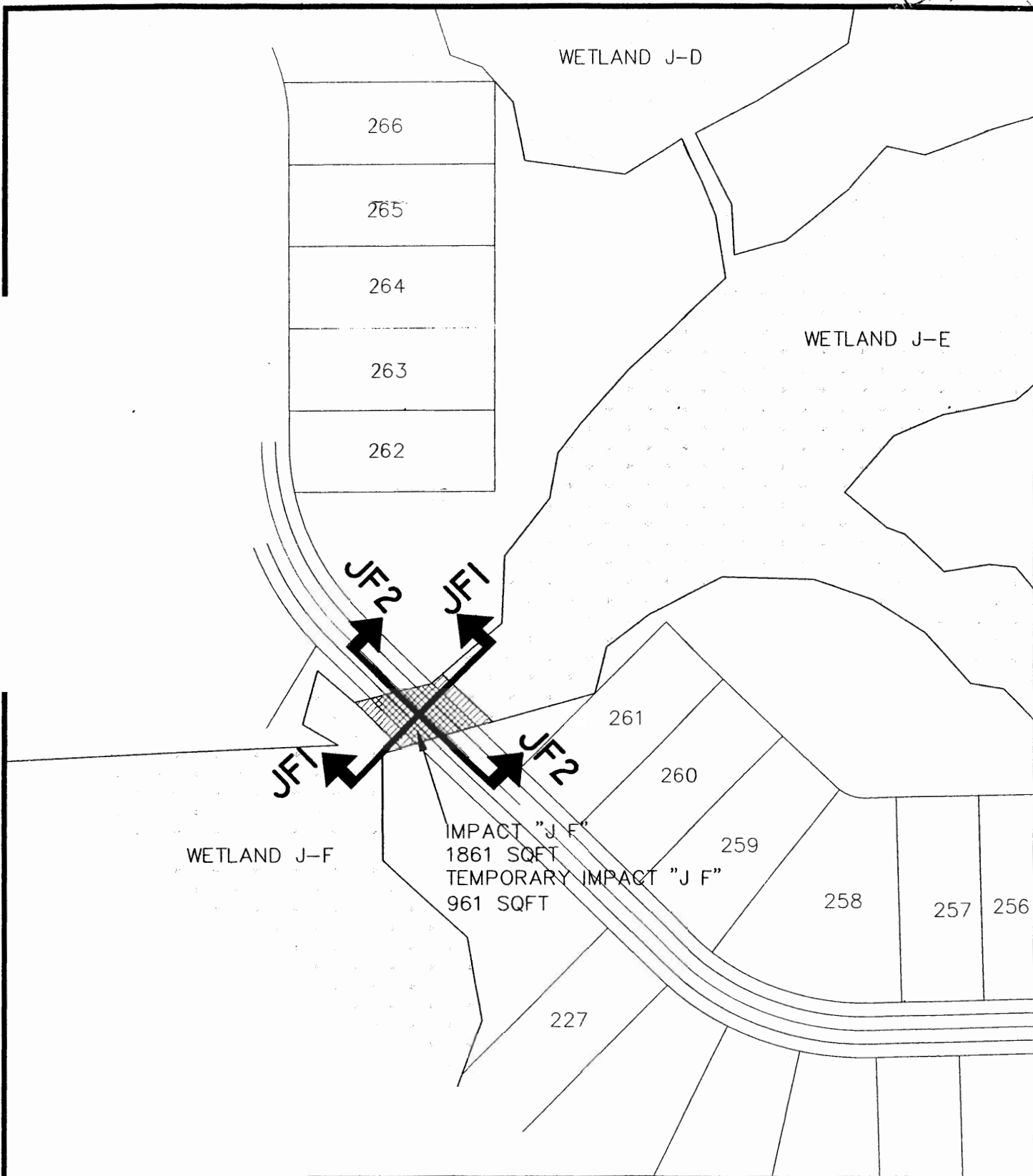
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Amended 9-15-00

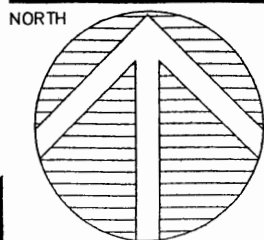


Public Notice SAJ-2004-7132-JPF Country Creek, LLC Sheet 17 of 18		SCALE 1" = 100'	DRAWN BY DAVE	TITLE IMPACT EXHIBIT	
		DWG EXHIBITS	DATE: 05/26/04		
JOB NAME COUNTRY CREEK				EXHIBIT E3	

05/15/04



Public Notice
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Country Creek, LLC
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SCALE
 1" = 100'
 DWG
 EXHIBITS

DRAWN BY
 DAVE
 DATE:
 05/26/04

TITLE
IMPACT EXHIBIT

JOB NAME
COUNTRY CREEK

EXHIBIT
E4

4506 SOUTH FLORIDA AVE.
 LAKELAND, FLORIDA 33813
 (863) 646-8571 FAX 646-4977

IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division